

4 CONSULTATION AND CORDINATION



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Public Scoping and Involvement

In November, 1998, Reclamation mailed a scoping document to over 100 individuals, organizations, and agencies. The document discussed the deficiencies in the outlet works and requested comments on a proposal to replace the lower ten Ensign valves with clamshell gates. The mailing also announced two scoping meetings that were held in December, 1998. Notice of these meetings was also made in the *Federal Register*. A letter with a summary of comments and issues identified during the scoping process was mailed to the public in March, 1998. These comments assisted in refining the alternatives that are included in the EIS.

Reclamation has continued to meet with the Irrigation Districts, Tribes, USFWS and state and local agencies to keep them apprised of the progress of the project and share available information. When requested, Reclamation has also met with interest groups, local Watershed Advisory Groups and the Boise River 2000 group to explain the project.

In December 1999 an Arrowrock Update was published and distributed to those who had shown an interest or requested notification. At the same time an Arrowrock web page (www.pn.usbr.gov/reg/ida/arrowrock.html) was developed, and information in the update was published on the web page.

Reclamation has attended several meeting of the Southwest Basin Native Fish Watershed Advisory Group to provide an overview and updates on the progress of the Arrowrock Outlet Works Rehabilitation. Presentations were made to a variety of recreation interests including Boise River 2000, Recreation Safety Group, and others. Attendance at these meetings included Federal, State and local agencies including IDFG, Ada County Parks and Waterways, and Idaho State Parks, CORE, and city of Boise and Ada County representatives.

Meetings have also been held with the IDEQ and other groups concerned with water quality issues. A multi-year community outreach plan is being developed to keep the public informed of construction and/or maintenance.

A Draft EIS for public review, issued on October 23, 2000, provided opportunities for public review and comment for a period of 60 days. Notice of this document was made in the *Federal Register* on October 26, 2000 (Vol. 65, No. 208, page 64234). Sixteen letters of comments were received. The letters and Reclamation response to those comments can be found in Appendix K. Main areas of concern were economics, safety, dissemination of information/status updates, repayment, water quality, fish, and recreation impacts. Copies of this Final EIS are being sent to the addresses identified by one or two asterisks in the distribution list (Appendix H). The Final EIS will also be published on Reclamation's web page (see above) for approximately 1 month after the Record of Decision is published.

On November 2, 2000, a public information open house to describe the problems and proposed action of rehabilitation of the outlet works was held. Approximately 63 individuals representing the general public, organizations, irrigation districts, Federal, State, and local agencies attended. Areas of main interest were fish, wildlife, economics, and recreation.

Two formal public hearings were conducted at the Idaho State Historical Museum, 610 North Julia Davis Drive, in Julia Davis Park, Boise, Idaho on December 12, 2000. Seven individuals gave formal testimony at the first session, but no one wanted to give testimony in the second session. The testimony given at these hearings mirrored and was incorporated in the letters of comments received on the Draft EIS. Therefore, the responses to comments cited in Appendix K also represent the responses to the comments made at the hearing testimony. Notice of the formal public hearings were made in the *Federal Register*.

Coordination with Federal and State Agencies

Reclamation consultations have included the USFWS, NMFS, IDFG, Idaho SHPO, and others. Consultations by specific requirements are summarized below.

Fish and Wildlife Coordination Act

In accordance with FWCA, Reclamation met with the USFWS and the IDFG to discuss potential impacts to fish and wildlife. On September 16, 1999 USFWS provided Reclamation with a Draft Fish and Wildlife Planning Aid Memorandum addressing potential effects of the project. The information in the draft memorandum was used by Reclamation in formulating alternatives and assessing impacts. On January 19, 2001, USFWS provided Reclamation with a Final Fish and Wildlife Coordination Act Report [file # 1009.0405/OALS #01-0231] (USFWS, 2001). The report provides recommendations for mitigation and enhancement of fish and wildlife. Reclamation. Reclamation has agreed to implement most, but not all of the recommendations. A summary of the USFWS recommendations from the FWCA Report and Reclamation responses are included in Appendix F.

Endangered Species Act

In accordance with Section 7(c) of the Endangered Species Act, Reclamation requested a list of threatened and endangered species from USFWS on September 22, 1998. USFWS provide the list to Reclamation on October 21, 1998. Updated species lists were subsequently requested and received on July 19, 1999 and August 4, 2000. Several informal consultation meetings were held with USFWS and IDFG throughout this period to clarify aspects of the project, assist in formulating alternatives, and identify means of avoiding adverse effects. Reclamation submitted a Preliminary Draft BA evaluating the project effects to bull trout, bald eagle, gray wolf, and Ute ladies'-tresses on September 5, 2000.

On January 19, 2001 Reclamation received a Draft Biological Opinion [SP#1-4-00-SP-785] (BO) from the USFWS. The Draft BO concurs with Reclamation's determination that the Preferred Alternative (Alternative A) would adversely affect bull trout and nesting bald eagles and would not affect gray wolf or Ute ladies'-tresses. The Draft BO also provides RPM's and Terms and

Conditions to minimize take of bull trout and bald eagles. A summary of the RPM's and Terms and Conditions is included in Appendix F.

Reclamation responded to the Draft BO on February 14, 2001 stating that Reclamation agrees to reduce the incidence of bull trout entrainment due to reservoir operations, initiate studies necessary to develop a long-term entrainment-reduction solution, progressively implement interim measures to reduce entrainment from Project operations, initiate water quality monitoring/modeling efforts to determine water quality parameters and conservation pool necessary to support adfluvial bull trout in Anderson Ranch and Arrowrock Reservoirs, initiate a capture and transport program to move bull trout entrained at Arrowrock Dam back upstream so they can complete their spawning and foraging migrations in tributaries above Arrowrock Reservoir, and within existing authorities and voluntary partnership opportunities, work towards ensuring reservoir operations do not result in de-watering of Arrowrock Reservoir to the extent that adfluvial bull trout resident there during part of their life history are stressed or killed.

Reclamation agrees to work with the Boise National Forest to prepare a bald eagle nest site management plans for the two bald eagle nests at Arrowrock and determine, in cooperation with USFWS, Boise National Forest, and IDFG, the potential need and effectiveness of supplemental winter feeding of bald eagles at Arrowrock Reservoir.

USFWS anticipates issuing a Final BO in March 2001. If the RPM's and Terms and Conditions change in the Final BO, Reclamation would implement these changes.

NMFS provided Reclamation with a list of ESA species on November 16, 1998. This list was confirmed with NMFS on August 10, 2000. Reclamation has determined that the alternatives analyzed in this EIS would not affect listed anadromous fish species. This determination meets Reclamation's consultation requirements under Section 7(c) of ESA.

National Historic Preservation Act

In the fall of 1998, Reclamation began consultations with the Idaho SHPO, per Section 106 of the National Historic Preservation Act concerning treatment of impacts on archeological and traditional cultural properties. At the same time, Reclamation began a series of face-to-face meetings and formal written consultation with the Shoshone-Bannock Tribes of Fort Hall and the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation. All consulting parties concur that adverse impacts could occur under all alternatives.

In 1998, Reclamation consulted with the Idaho SHPO about the effect of replacing the concrete parapet walls along the crest of Arrowrock Dam. The effect of the parapet replacement to the historic integrity of the dam, other upcoming alterations to the dam, the potential effects of valve rehabilitation and replacement, and construction of a new bridge were discussed. Reclamation and the SHPO agreed that the cumulative effects of these actions would have an adverse impact on the historic integrity of Arrowrock Dam. In July 2000, Reclamation initiated formal Section 106 consultations with the SHPO on the effects of the valve replacement and

rehabilitation alternatives on the historic integrity of Arrowrock Dam. In September, the SHPO concurred that Level II HAER was an appropriate treatment to mitigate the adverse effects of the valve replacement. Consultations will culminate in a memorandum of agreement that documents commitments to minimize and mitigate adverse impacts.

Coordination with Native Americans

Since fall of 1998, Reclamation has sought to keep the Tribes informed of the Arrowrock Outlet Work Rehabilitation and to hear their concerns (see Appendix G for a list of letters and meetings). In 2000, Reclamation requested official NAGPRA consultations with the Shoshone Paiute, Shoshone Bannock and Burns Paiute Tribes and also offered the Tribes another opportunity to comment on the portion of this draft document regarding cultural resources and Indian Trust Assets in the area affected by the Arrowrock Outlet Works Rehabilitation. Reclamation will continue to keep the Tribes informed and to seek their comment.

On February 7 and on February 15, 2001, Reclamation met with Tribal members of the Shoshone-Paiute and Shoshone-Bannock Tribes on each reservation respectively to garner any concerns or comments. As of the date of this Final EIS, no comments have been received. Reclamation has committed to continuing the positive government-to-government consultations it has developed with each Tribe to avoid, minimize, or mitigate effects in accordance with 36 CFR 800, Executive Order 13007, and Reclamation policy. Reclamation will continue to keep the Tribes informed and to seek their comment. Consultations will include traditional cultural properties, sacred sites, and Indian Trust Assets.